"I am of the opinion," says the Atterney-General at the close of an elaborate analysis, "that under the rules of fair intendment American ships, wherever they may be, are included in the terms of the Eighteenth Amendment "territors which is the intendent." 'territory subject to the jurisdic-of the United States, so that tion' of the United States, so that manufacture, transportation or sale of intoxicating liquors for beverage purposes is prohibited thereon. To construe otherwise would, in my opinion, violate the unmistakable intent in its adoption, such intent clearly adduced from a study of the circum lances out of which it grew, and vol.ei by the Supreme Court in the Walker and Anchor Line cases.

"This interpretation is further sup ported by the many authorities that have held ships to be 'constructive ter-ritory' of the country whose flag they fly. Such decisions undoubtedly extend the protection as well as the inhibitious

of the country's laws.

"The national prohibition act is an act of general jurisdiction in force wherever the Eighteenth Amenoment applies; and the courts of the United States have jurisdiction to punish its violations on the high seas.

violations on the high seas.
"I am forced to the opinion, under the ruling of the Walker and Anchor Line decisions that foreign ships carrying intoxicating beverage liquors as ship stores or otherwise, within the three mile limit of our shores, are violating the provisions of the national prohibition and prohibition are prohibiting assession or transtion act, prohibiting possession or trans-portation of intoxicating liquor for beverage purposes. The Supreme Court therein has held that it is not material that the liquors may not be intended for beverage uses within the United States. because the court emphasized that the Elighteenth Amondment marks a revo-lution in our former national policy toward intoxicating liquor, and does not confine its prohib tion in any meticulous way within the United States, but on ntrary its intent was as far as a to 'stop the whole business.' "

it was inclosed an opinion of the general counsel of the Shipping Board, holding

heid:

A vessel registered as a vessel of the United States, is, in many respects, considered as a portion of its territory, and persons on bourd are protected and governed by the laws of the country to which the vessel belongs.

"Ships are 'territory' in a constructive rather than an actual sense. This distinction is clearly shown by Justice Field in U. S. va. Smiley, 6 Sawyer, 446, 645.

The criminal jurisdiction of the Government of the United States is limited to its own territory, actual or constructive—this constructive territory

structive—this constructive territory

***Draces vesse's sailing under their
fing, Waerever they go they carry
the laws of their country and for a
violation of them their officers and
seamen may be subjected to punish-

The construction of the word 'terry' in the fourth article of the Constitution to mean land is in complete harmony with the intent of the framers of that article of the Constitution. I believe from the study of history of conditions out of which the Eighteenth

Embassies Will Receive Liquor, but Not So Easily

Special Disputch to THE NEW YORK HERALI New York Herald Bureau, | Washington, D. C., Oct. 6,

THE dry ship ruling by At-torney-General Daugherty means, in the opinion of eign embassies and legations in Washington will have more diffi culty than usual in getting intoxicants, but will not be shut off en-tirely from their liquor supply.

The opinion seems to be clear

that even diplomatic liquor cannot be carried aboard merchant ships way is still open for shipments by rall from Mexico and Canada.

Some State Department officials thought it possible that at least e of the foreign diplomats might take advantage of the opportunity "diplomatic pouch," which felt, however, that this would be an evasion of the law and not to be countenanced in diplomatic circles

the words 'territory subject to the juris-diction' of the United States carry the intent to extend its provisions over every spot where the flag of America flies.

"This intent is a living part of the Eighteenth Amendment and the national prohibition act," adds Attorney-General Daugherty, buttressing this opinion with a quotation from Justice Brown, "and" open states from the property of the propert principle. From its terms alone flows the real prohibition. Palpably, therefore, since by the force of the amendment prohibition is carried everywhere within the confines of the sovereignty of the United States, the national prohibition act, passed to facilitate its enforcement and punish its violation, would be coextensive therewith.

"The open oceans, outside the territorial waters of nations, have long been regarded as the highway of all, wherein all nations share the privileges of tentants in common. If, then, the United States shares the high seas as a tenant in common with other nations of the

not apply to American ships on the high seas," and stated that in conformity with said opinion liquor is furnished for beverage purpose on Shipping Board vessels outside the territorial waters of the United States.

Scretary Mellon suggested a reconsideration of the rulings of the Department of Justice, particularly the opinion of November 1, 1920, requesting advice from the Department whether the practice of selling liquors on American ships outside the territorial waters of the United States was permissible under the law.

States shares the high seas as a tenant in common with other nations of the world, the Eighteenth Amendment would be broad enough to comprehend the sea. as territory of the United States in so far as, and where, and when, it is used by American bottoms.

"An examination of the national prohibition act by itself leads to the conclusion that its operation is extended to American vessels on the high seas, since its terms are absolutely general and have no limits of any sort.

"The Shipping Board has frequently under the law.

the service and the transportation of intexicating liquors on American ships at sea and the transportation of intexicating liquors on all vessels within American waters. The ruling, you will note, holds all transportation in American waters to be contrary to a recent decision of the Supreme Court, and transportation and traffic on American American to the wholl in the suprementation and traffic or American cases is to be wholly on American vessels to be wholly

on American vessels to be wholly contrary to law.

I have directed the chairman of the United States Shipping Board to order immediate observance of the law on all Government vessels, and

formulation of regulations for the enforcement of the law, and such notice to the agents of foreign ship-ping lines touching American ports or docking therein as becomes the circumstances and commits us to full enforcement of the law. Yery truly yours, Warmen G. Harding.

To Mr. Lasker. MY DEAR CHAIRMAN LASKER

Said, they found 150 barrels of whisky, ten barrels of champagne, about 1,000 five-gallon cans of alcohol and 2,800 cases of whisky.

It was not by guess work, however, that the agents discovered the location of the secret cellar. B groping their way about the main cellar, one or two of the agents came upon a wire cable running along the floor. They followed this and discovered that it vanished into the brick wall at me rear. It was then that the agents began sounding the walls and some of them were convinced that hollow noises rewarded their tappings with pick and sledge. Then they began the job of cutting through.

Once in the secret cellar, the agents rade a rapid inventory of the booze found there, then began searching for the entrance to the place. Their flashlights revealed nothing, so they measured the floor of this cellar, and found that even with the figures added to those of the main cellar the street floor of the tuilding was larger. New soundings were made at the rear end of the room, and when a hollow noise was heard, this wall also was dug through.

Blind Stairway Found.

Were underneath the garage, so half a dozen of the agents went into the place. The garage appeared to be a garage and nothing cles and the agents searched for some time without finding and nothing clear tap on the cellar ta

After severe work the agents say that they picked and siedged their way into a second cellar, a place about 12 x 15 feet. There was no booze in this place, but the flashlights of the agents showed them, in a far corner, a wooden stairway that started at the floor and ended at the celling. At neither end, they said, was there any sign, of a door or any sort of an opening. But their measurements now showed them that they

Then the cement was chipped away from the cracks and the agents found two from, hinged doors which led into the second of the secret cellars discovered by the agents. This cellar in turn had a door in it, which the agents did the door in it, which the agents did the door in it, which the agents did the largest single section of

CALLS TAKING BOOZE COMPARES DRY LAW SHIP MONEY PIRACY TO GEORGE III. RULE

Judge Hand Doubts, However, Col. R. H. Gillett Says It Involves Principle of Battle if He May Order It of Long Island. Returned.

The question as to the right of the "The question as to the right of the "The question as to the right of the "The question as to the right of the customs officers to hold it came yesterday before Judge the arread Hand of the United States District Court. After hearing argument, the Judge said, regarding the search of Long Island."

To my mind this is an act of 'gracy."
But, expressing doubt as to his power-to order the money returned upon manda-long and the Garden City Hotel by Col. Ransom H. Gillett, general coursel for

since its terms are absolutely general and have no limits of any sort.

"The Shipping Board has frequently sought to punish offenses committed against its property on the high seas by manitalining the applicability of general extractions of the several weeks.

"The Shipping Board has frequently sought to punish offenses committed against its property on the high seas by manitalining the applicability of general extractions. It would be incommended to the probabilition of the association of the several weeks.

"The shipping Board has frequently sought to punish offenses committed against its property on the high seas by manitalining the applicability of general extractions of the several weeks.

"The shipping Board has frequently sought to punish of finese committed and have no limits of any sort.

"The Shipping Board has frequently sought to punish of finese committed and have no limits of any sort.

"The shipping Board has frequently sought to punish the probabilition of the assemblage he prohibition of one of similar jurisdiction."

"It is a long established principle of multiple and international law," sorys the attorney-General in answering Serviciary Mellon, "that a mation has the right to make and enforce laws covering its in the fight to make and enforce laws covering its international law," sorys the Autorney-General in answering Serviciary Mellon, "that a mation has the right to make and enforce laws covering its international law," sorys the Autorney-General in answering Serviciary Mellon, "that a mation has the right to make and enforce laws covering its international law," sorys the Autorney-General in answering Serviciary Mellon, "that a mation has the right to make and enforce laws covering its international law," sorys the Autorney-General in answering Serviciary Mellon, "that a mation has the right to make and enforce laws covering the prohibition and customs men last them, from Capt. Letts \$36,886 and the Prohibition law.

"If the cure

SAYS BRITAIN ALONE

France She Must Support

up with England in the Near East Eng-

British political opinion, wrote this in a lated in all the other papers.

The tone of the letter and the method Curzon has been given full rein in conlucting the pending negotiations.

speak for the coalition Cabinet representing the bulk of British opinion better than has been done for many months. In the face of his letter the talk of political defections in the Lloyd George Cabinet has vanished and also the talk of a general election.

demands ained solidarity or Britist isolation in the face of to-day's developments, he recuses to criticize the Lloyd Georgian tactics upon which some opposition elements have been biaming the present predicament.

The state of the s

LAWSON TO MOVE INTO WANTS STAINLESS STEER 8 ROOM BOSTON FLAT

TO MEET THE PACKERS CAN'T POLICE WORLD 'Vanished' to New York—Is Two Recent Decisions Cited in

to Plan New Coup. Offspring Trial.

Foston, Oct. 6.—Thomas W. Lawson, financier, sportsman and author, has leased an eight room furnished apartment in the Fenway district of this city and will reside there this winter.

Dreamwold, his famous Scituate estate, which has been placed in the hands of trustees and will be sold at auction, is reported to have cost more than \$290,000 a year to maintain. The rent of the Fenway apartment will be less than





"Americans? Fought for gold!"

"German-Americans the worst of all Americans!"

"Jews the cause of all the trouble!"

"Tell the Americans that if you like!"

Ludendorf, in a bitter, scorching interview with Ferdinand Tuohey, denounces the United States, revealing a remarkable attitude of mind of Germany's greatest strategist. To-morrow in the Editorial Section of



Edition Limited—Tell Your Newsdealer

HOW TO READ CHARACTER AT SIGHT 7 Lecture-Lessons

Interesting, absorbing, practical and instructive, by America's leading authority, the eminent scientist, Dr. Katherine M. H. Blackford

with practical demonstrations each evening. Engineering Auditorium, 29 West 39th St., beginning Monday, Oct. 9th, and each Monday thereafter for 7 weeks from 5.30 to 7 P.M. Season tickets, including bound set of books, only \$15.00. Single lecture admission \$2.00. Seats now on sale Phone Vanderbilt 4824, or address MARION PRITCHARD, Sec'y, 50 East 42nd Street, New York City

desire you to give like notice to the masters of all privately owned ships operating under the American flag. You will not that the ruling holds

the possession or transportation of all intoxicating liquors by foreign ships in America n waters to be con-trary to the disalon of the court. You will, therefore, proceed to the

AGENTS TUNNEL MASONRY TO GREAT LIQUOR HOARD

I am in receipt of the opinion of the Attorney-General in response to a formal request for a ruling on the application of the Eighteenth Amendment and the Volstead Act to Amendment and the Volstead Act to the sale of liquor on American ships and the transportation of liquors on any ships in the territorial waters of the United States. The Attorney-General, in a review of the decisions handed down by the Supreme Court, holds the opinion that the carrying or the service of intoxicating liquors on ships under the American flar. ships under the American flag whether privately owned or operated by the United States Shipping Board, is contrary to the Constitution and the law, and that foreign ships are

prohibited from possession or trans-portation of intoxicating liquors within the three-mile limit of our within the three-mile limit of our shores.

In view of this rule I am writing to direct the discontinuance of the transport and the service of intoxicating liquor on all ships owned, operated or leased by the United States Shipping Board. The service should be prohibited at once and all transportation, either as cargo or ship stores, must cease at once on ships now in home ports, and on ships at sea or in foreign ports immediately after docking in home ports. This will enable the disposal of ship stores for the lawful purcoses contemplated under the statutes. The Secretary of the Treasury will issue equivalent notice to American ships under private operation.

Very truly yours, WARREN G. HARDING.

Will Dry 'Em at Once.

Chairman Lasker of the Shipping Board said to-night that orders would be sent out at once in conformity with Fresident Harding's order to make all Shipping Board vessels ary, in line with the opinion of Attorney-General Daugherty. Messages will be telegraphed to all vessels in foreign ports or on the high seas to stop selling at once. When the vessels arrive in their home ports their stocks of liquoc will be transferred to the prohibition enforcement service for disposition in accordance with the law.

This is a severe blow to the Ameri-

or distilla Government extended for purposes is to fall to apply all the relation part of all to apply all the relation part of all to apply all the relation and exception not specifically relating at the intent of constitution and exception not specifically relating at the intent of constitution and exception not specifically relating to the purpose to great the intent of constitution and exception not specifically relating to the purpose to great the intent of constitution and exception not specifically relating to the purpose to great the purpose

MEXICAN BATTALION
AT MEXICALI MUTINIES

Ordered to Fight, Joins Rebels,
Slays Loyal Officers.

Mexical, Lower California, Oct. 6.—
Mexical, Lower California, Oct. 8.—
Men of the Twenty-ninth Mexican Battailon mutholed and Rilled those of their officers who refused to Join them in descriting to the rebel forces of Gent Juna Carrasco, when the battailon was mented to make ago, and are now in rebellion, according to delayed advices received here to-day.

POIND ANYTHING?

Found columns of to-day's New York Herstel.

"My bearing of testimony regarding the disappearance or holding out of select Mining the disappearance or holding out of select Mining the disappearance or holding out of select Mining to the stimony regarding the disappearance or holding out of select Mining to the Stimony regarding the disappearance or holding out of select Mining to the Stimony regarding the disappearance or holding out of select Mining to the Stimony regarding the disappearance or holding out of select Mining to the stimony regarding the disappearance or holding out of select Mining the Hin Charles an

Bonar Law Serves Notice on

England.

CALLS HER DUTY PLAIN

of circulating it are a plain indication ion in the Near East, and the fear as to the consequence is not a political dodge of the Lloyd Georgian party. This pered that Lloyd George practically has been sidetracked by the Cabinet. Lord Bonar Law may be considered to

Downing Street believes the situatio is highly critical and there is no doubt that there was a call upon the patriotism of Bonar Law which evoked this public declaration from a statesman who has been in retirement for so long. It is significant that, while he demands allied solidarity or British

If She Declines England Will
Imitate U. S., Leaving
Europe to Its Fate.

Special Coble to The New York Herald Bureau.
London, Oct. 6.
Andrew Bonar Law, Unionist leader in the House of Commons, served notice on France to-night that unless she lines up with England in the Near East Eng-